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May 17, 2019

Via electronic filing

Honorable Vernon S. Broderick
United States District Court
Southern District of New York
40 Foley Square, Room 518
New York, NY 10007

***Re: Behrens et al., v. JP Morgan Chase Bank N.A. et al.,
Docket No.: 16-CV-05508***

Dear Judge Broderick:

This firm represents Millennium Trust Company (“Millennium”) in the above-captioned matter. I write in regards to the Court’s Order dated April 15, 2019, requiring Defendants to file briefs in opposition of Plaintiffs’ motion for reconsideration on or before May 17, 2019.

Your Honor’s Opinion and Order dated March 31, 2019 decided thirteen motions before the Court, including Defendant Millennium’s motion to stay proceeding pending arbitration. The Court ultimately dismissed the Second Amended Complaint against Millennium in its entirety. *Behrens v. JP Morgan, et al.*, 16-CV-05508-VSB (Mar. 31, 2019 S.D.N.Y.) (“In this case, the parties’ agreement to arbitrate encompass all of the issues raised against Millennium in the Second Amended Complaint. Accordingly, dismissal of the claims is appropriate.”).

Now, Plaintiffs seek reconsideration of the Court’s decision to dismiss the RICO count arguing, *inter alia*, that the statute of limitations was miscalculated. However, dismissal of all claims against Millennium is based on the Court’s finding that the parties’ agreement to arbitrate was enforceable. Because Plaintiffs do not seek reconsideration of any issues related to Millennium’s motion, it is Millennium’s understanding that it need not submit an opposition to Plaintiff’s motion for reconsideration.

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Should the Court require that Millennium submit an opposition, I respectfully request the Court inform the undersigned as such. Additionally, I respectfully request the Court stay Millennium's time to submit an opposition until it determines whether an opposition from Millennium is required.

Respectfully submitted,

s/ Louis V. Fasulo

CC: All parties (via ECF)